

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**MITA BISWAS,**

**Plaintiff,**

**vs.**

**SASAK CORPORATION,**

**Defendant.**

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**Case No. 4:15-cv-01003-JAR**

**MEMORANDUM AND ORDER**

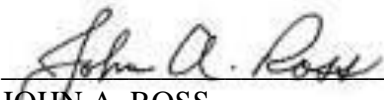
This matter is before the Court on *pro se* Plaintiff's Motion Seeking Leave and Extension of Time to File an Amended Complaint (Doc. 41). Plaintiff requests leave to file an amended complaint on or before January 20, 2016. Defendant responds in opposition asserting that Plaintiff seeks only to unduly delay the proceedings and her motives are merely dilatory and improper (Doc. 43). Because the Court should "freely give leave" to amend a pleading "when justice so requires," the Court will allow Plaintiff to amend her complaint. FED. R. CIV. P. 15(a)(2). Nevertheless, the Court finds that an extension of time until January 20, 2016, is unwarranted and will instead grant Plaintiff fourteen (14) days from the date of this order to file an amended complaint. Plaintiff is warned that an amended complaint will completely replace her original complaint. Therefore, claims not re-alleged in the amended complaint will be deemed abandoned. *E.g., In re Wireless Tel. Fed. Cost Recovery Fees Litig.*, 396 F.3d 922, 928 (8th Cir. 2005). Thereafter Defendant will have the opportunity to file an appropriate responsive pleading. The Court will not take any action at this time regarding the Amended Proposed Scheduling Order submitted by Defendant. However, the Court notes that Plaintiff has failed to

file a Proposed Schedule or otherwise cooperate with Defendant.

Accordingly,

**IT IS HEREBY ORDERED** that Motion Seeking Leave and Extension of Time to File an Amended Complaint (Doc. 41) is **GRANTED, in part**. Plaintiff shall file her amended complaint within fourteen (14) days of the date of this order.

Dated this 6th day of November, 2015.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE